

MARKED COPY OF THE CLAIMS:

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17. (amended) A spinal rod coupler assembly comprising:
a coupler member having first, second, and third
openings, the first opening dimensioned to slidably receive a
spinal rod and fully surround a portion thereof and the second
opening dimensioned to receive a locking fastener to retain the
spinal rod within a coupler member; and

a fastener receiving member having an opening to
receive a bone fastener, the fastener receiving member rotatably
and slidably mounted with respect to the coupler member to
adjust the position of the fastener, the fastener receiving
member being mountable in the third opening of the coupler
member.

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34. (amended) A spinal rod coupler assembly comprising:
a coupler member having first, second, and third
openings, the first opening dimensioned to slidably receive a
spinal rod, and the second opening dimensioned to receive a
locking fastener to retain the spinal rod within the coupler
member, a portion of the coupler opposite the second opening
being closed;

a fastener receiving member having an opening to
receive a bone fastener, the fastener receiving member rotatably
and slidably mounted with respect to the coupler member to
adjust the position of the fastener, the fastener receiving
member being mountable in the third opening of the coupler
member,

and an insert interposed between the spinal rod and
the fastener receiving member.

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36. (amended) A spinal rod coupler comprising:
a first opening dimensioned to slidably receive and
fully surround a portion of a spinal rod and having a first
longitudinal axis extending therethrough;

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a second opening dimensioned to receive a locking fastener and having a second longitudinal axis extending therethrough transverse to the first longitudinal axis; and

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a third opening dimensioned to slidably and rotatably receive an elongated connector to mount a bone fastener, the third opening having a third longitudinal axis extending therethrough transverse to the first longitudinal axis and the second longitudinal axis.

40. (amended) A spinal rod coupler assembly comprising:

a coupler having a first opening to receive a spinal rod and fully surround a portion thereof;

a connecting member having a longitudinal axis, the connecting member extending from the coupler and rotatable with respect to the coupler;

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a bone fastener positioned within the connecting member, wherein movement of the connecting member with respect to the coupler adjusts the position of the bone fastener; and

a locking member for securing the spinal rod the locking member extending at an angle to the longitudinal axis of the connecting member.

46. (amended) A spinal rod coupler assembly comprising:

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a coupler having a first opening to receive a spinal rod;

a connecting member extending from the coupler;

a bone fastener positioned within the connecting member, wherein movement of the connecting member with respect to the coupler adjusts the position of the bone fastener; and

an insert mounted within the coupler and interposed between the spinal rod and connecting member.